

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

STEVE MOORE, *et al*,

Plaintiffs,

VS.

CITGO REFINING AND CHEMICALS
COMPANY, LP,

Defendant.

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. C-11-22

ORDER

On this day came on to be considered Plaintiffs' motion for reconsideration of the Court's November 3, 2011 Order compelling certain Plaintiffs to appear for an evidentiary hearing. (D.E. 25) For the same reasons stated in the November 3, 2011 Order (D.E. 22), the Court hereby DENIES Plaintiffs' motion for reconsideration. (D.E. 25.) The Court GRANTS, however, Plaintiffs' request that Plaintiff Rudolfo Martinez be allowed to reschedule his appearance.

The Court also rules on Defendant's objection to Plaintiffs' use of subpoenas. According to the parties, Plaintiff recently subpoenaed several CITGO employees to be present at the evidentiary hearing to be held November 18, 2011. At the telephone conference, Defendant objected to Plaintiffs' subpoenaing of these employees. Defendant contended that Plaintiff has not listed most of the subpoenaed employees as a persons having relevant knowledge, and that, accordingly, their attendance at the evidentiary hearing should not be compelled.

After considering the arguments of counsel, the Court holds that Defendant's objection to Plaintiffs' use of subpoenas is SUSTAINED as to all employees whose names have not been listed as persons having relevant knowledge. The Court OVERRULES Defendant's objection as

it concerns the subpoenaed employee whose name has been provided as a person with relevant knowledge. The subpoenaed employee who has been listed as a person having relevant knowledge is therefore ORDERED to appear at the November 18, 2011 evidentiary hearing.

SIGNED and ORDERED this 16th day of November, 2011.

A handwritten signature in black ink, reading "Janis Graham Jack", written over a horizontal line.

Janis Graham Jack
Senior United States District Judge